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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/856,654	08/27/2001	Aloys Wobben	970054.406	2094

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EXAMINER

MCALLENAN, JAMES M

ART UNIT	PAPER NUMBER
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3745

18

DATE MAILED: 03/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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Commissioner for Patents

This is a response to applicant's Supplemental Information Disclosure Statement (IDS) dated 2/11/04 which was after a Notice of Allowance mailed 1/29/04. The submission by applicant would be in compliance with 37 CFR § 1.97(d) if it included:

- i) a statement as specified in 37 CFR § 1.97(e), and
- ii) the IDS fee set forth in 37 CFR § 1.17(p).

Applicant's Information Disclosure Statement is defective because it lacks a proper statement. Effective November 7, 2000, a proper certification under 37 CFR 1.97(e) must state either:

- (1) That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or
- (2) That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 1.56(c) more than three months prior to the filing of the information disclosure statement.

The Information Disclosure Statement has been placed in the application file, but the information referred to therein has not been considered as to the merits.

This application is being returned to Publications Branch.


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